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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,520	01/09/2002	Philippe Coronel	00GR32554365	6898

27975 7590 06/20/2003

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EXAMINER

KESHAVAN, BELUR V

ART UNIT	PAPER NUMBER
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2825

DATE MAILED: 06/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,520

Applicant(s)

CORONEL ET AL.

Examiner

Belur V Keshavan

Art Unit

2825

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-30 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 31-37 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2825

DETAILED ACTION

Status Of Claims

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Claims 11-31 are in the application.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following features must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

✓ In claims 11 and 31, second dielectric layer on each lower electrode is not shown in the drawings.

✗ In claim 12, a plurality of access transistors in the substrate is not shown in the drawings.

✓ In claim 13, second and third dielectric layers are not shown in the drawings.

9 ✗ In claims 15 and 25, the DRAM comprising embedded DRAM is not shown in the drawings.

✓ In claim 18, 28 and 35, the second dielectric layer comprising an oxide layer and a nitride layer on the oxide layer is not shown in the drawings.

✗ In claim 24, a plurality of access transistors in a substrate and ^{OK} (a second dielectric layer on each of the lower electrode are not shown in the drawings.)

✓ In claim 24, 32 a conductive layer on the continuous upper electrode is not shown in the drawings.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Duplicate Claims

Claim 31 and its dependent claims 32-37 are objected under 37 CFR 1.75 as being a substantial duplicate of claim 24 and its dependent claims 25-30. When claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 13 recites the limitation "wherein each of the first, second and third dielectric layers comprises silicon oxide". There is insufficient antecedent basis for "third dielectric" in this limitation in the claim.

Appropriate correction is required.

Allowable Subject Matter

Claims 11-30 are indicated as being allowable.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the indication of the allowability of claims 11-30 is the inclusion therein, in combination as currently claimed, of the limitation of a method of fabricating DRAM comprising inter alia a plurality of memory cells connected to bit lines and word lines. This

Art Unit: 2825

limitation is found in claims 11-30 and is neither disclosed nor taught by the prior art of record, alone or in combination.


As claims 11-30 are indicated as being allowable, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belur V Keshavan whose telephone number is 703 306 5985. The examiner can normally be reached on 8-4:30 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 703 308 1323. The fax phone numbers for the organization where this application or proceeding is assigned are 703- 872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 0956. .

Bvk 
June 12, 2003.

Belur V. Keshavan.
Examiner. Art Unit 2825.


CARIDAD EVERHART
PRIMARY EXAMINER